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October 29, 2007

Judge Cedarbaum
United States Courthouse
Southern District of New York
500 Pearl Street, Room 1330
New York, N.Y. 10007

Hollander v. Copacabana Nightclub et al. (Class Action)
S.D.N.Y. 07 Cv 5873 (MGC)

Dear Judge Cedarbaum:

The attorney for defendant Lotus, Deborah Swindells Donovan, submitted six essays in Exhibit A of her opposition to my motion for recusal. All of the essays except one are not available to the public, and to my knowledge are only located on my personal computer and another computer, which are both connected to the Internet. Attorney Donovan's acquisition of these essays raises questions of cyber crime—hacking into Internet computers, re: 18 U.S.C. § 1030(a)(2), and copyright violation by publishing the essays in her exhibit without my permission.

Attorney Donovan claims a third party gave her the articles; perhaps her firm's private detective, but she would not identify any third party. I have filed a complaint with the Internet Computer Cyber Crime Center, a partnership of the Federal Bureau of Investigation and the National White Collar Crime Center. The Cyber Crime Center, however, has many cases to handle, and there is a lengthy delay. Since the apparently illegally obtained evidence has been submitted in these proceedings, I am requesting the Court to instruct attorney Donovan to reveal how, when, and, if applicable, from whom she acquired the essays. She is not claiming any privilege, and in order to secure the just, fair and speedy determination of this action, Fed. R. Civ. P. 1, I believe the source of the articles should be revealed.

Thank you for your time.

Sincerely,

Roy Den Hollander (RDH 1957)

CC Charles B. Linn, Esq.
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